

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNIFIED WESTERN GROCERS, INC.;	)	CIVIL NO. CV03-00336 HG BMK
CERTIFIED GROCERS OF	)	(Declaratory Judgment)
CALIFORNIA, LTD.; GROCERS	)	
SPECIALTY COMPANY; ALFRED A.	)	DECLARATION OF
PLAMANN; CHARLES PILLITER;	)	CHRISTOPHER J. COLE
DANIEL T. BANE; ROBERT M. LING;	)	
and DAVID A. WOODWARD,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
TWIN CITY FIRE INSURANCE	)	
COMPANY, an Indiana Corporation,	)	
	)	
Defendant.	)	
	)	

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DECLARATION OF CHRISTOPHER J. COLE

CHRISTOPHER J. COLE hereby declares that:

1. I am an attorney licensed to practice law in the United States District Court for the State of Hawaii, and am a partner of the law firm of McCorriston Miller Mukai MacKinnon LLP, attorneys for Plaintiff Unified Western Grocers, Inc., f.k.a. Certified Grocers of California, Ltd.

2. I make this declaration upon my own personal knowledge and am competent to testify to all matters set forth herein, and submit the same in support of Plaintiff Unified Western Grocers, Inc.'s Reply Memorandum in Support of

Motion for Leave to Amend Complaint Filed 4/5/07 attached hereto and made a part hereof by reference.

3. Attached hereto as Exhibit I and made a part hereof by reference is a true and correct copy of a January 19, 2005 letter to Kim W. West, Esq. from Jonathan H. Steiner, Esq.

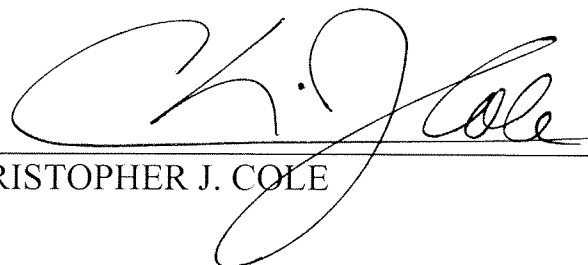
4. Attached hereto as Exhibit J and made a part hereof by reference is a true and correct copy of a January 25, 2005 letter to Jonathan H. Steiner, Esq. from Janice R. Hugerer for Kim W. West, Esq.

5. Attached hereto as Exhibit K and made a part hereof by reference is a true and correct copy of a February 7, 2005 letter to Kim W. West, Esq. from Jonathan H. Steiner, Esq.

6. It is my understanding that Twin City was informed that the settlement of the underlying litigation described in Exhibits I and K had been fully approved and consummated, at least by the time the parties participated in Ninth Circuit mediation conferences in August and September of 2005.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Honolulu, Hawaii this 1<sup>ST</sup> day of JUNE,  
2007.

  
CHRISTOPHER J. COLE